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09/579,002	05/25/2000	Christopher E. Pearce	062891.0407	7458

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Baker Botts LLP
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER
HOM, SHICK C

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/579,002	Applicant(s) PEARCE ET AL.	
	Examiner Shick C Hom	Art Unit 2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 May 2000 and 02 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-78* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6,8-11,17-20,22-24,27,29,30,34-53,55,56,58-73 and 75* is/are rejected.

7)☒ Claim(s) *5,7,12-16,21,25,26,28,31-33,54,57,74 and 76-78* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4, 5*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

2. The disclosure is objected to because of the following informalities: in page 1, update status of related applications. Appropriate correction is required.

Claim Objections

3. Claims 2-7, 11, 14-16, 19-22, 27, 31, 33, 35-49, 50-65, 67-72, 75, and 77-78 are objected to because of the following informalities: in claim 2 line 4, delete "device" and insert ---devices---. In claims 3, 19, 20 line 2, the words "a device" seem to refer back to "a device" recited in claims 1, 17 line 4, respectively. If this is true, it is suggested changing "a device" to ---the device---. In claim 3 line 2, claims 19, 20 lines 1-2, and 3, claims 38, 39 lines 3-4, claims 52, 53 lines 3-4, the words "a call request" seem to refer back to "a call request" recited in claims 1, 17 line 3, claims 36, 50 line 5,

respectively. If this is true, it is suggested changing "a call request" to ---the call request---. In claims 3, 19, 27, 41 line 4, claim 44 line 2, claim 53 lines 5-6 the words "a telephony device" seem to refer back to "one of the telephony devices" recited in claim 1, 17 line 6, claims 36, 50 line 7, respectively. If this is true, it is suggested changing "a telephony device" to ---one of the telephony devices---. In claims 19, 20 line 2, the words "a first call manager" seem to refer back to "a first call manager" recited in claim 17 line 3. If this is true, it is suggested changing "a first call manager" to ---the first call manager---. Likewise, in claim 21 line 2 delete "a plurality of line" and insert ---the plurality of line---; in claim 22 line 4, delete "a call manager" and insert ---one of the call managers---; in claims 31, 33 line 5, claim 36 line 18, claim 47 line 7, delete "a line control process" and insert ---the line control process---; in claims 33, 35 lines 2 and 3, claim 49 lines 4 and 7-8, delete "a line" and insert ---the line---. In claim 36 line 22 and claim 50 line 15, delete "process" and insert ---processes---, delete "a telephony device" and insert ---one of the telephony devices---. In claim 64 line 4, claims 67, 69, line 2, claim 70 lines 6 and 8, claim 72 lines 2 and 2-3, claim 75 line 2, claim 77 lines 5 and 8, delete "a line" and insert ---the line---.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Claims 20, 34, 36-49, 58-72 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 20, 39 lines 5-6, which recite "a telephony device" is not clear as to whether it is reciting one of the telephony devices of claims 17, 36 line 6, respectively, or other external telephony device. In claim 34 lines 3 and 7-8 which recite "a second device process" and "a second line control database," respectively, are not clear as to where are the first device process and first line control database; likewise claims 46, 63 line 3, claim 59 lines 2-3 which recite "a second telephony device" is not clear. In claim 36 line 8 which recite "a plurality of call managers" is not clear how and whether these call mangers are related to the call manager of claim 36 line 1; likewise it is not clear how the device process of claim 36 lines 21-22 is related to the first device process of claim 36 line 3. In claim 58 line 1 which recite "the method of claim 57" lacks clear antecedent basis because no method have been previously recited in the claims and therefore the

limitation is not clearly understood. In claim 72 lines 4-5 which recite "the packet-based network" lacks clear antecedent basis.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 6, 8-11, 17-20, 22-24, 27, 29-30, 36-39, 42-45, 50-53, 55-56, 66-67, 68, 73-74 and 75 are rejected under 35 U.S.C. 102(b) as being anticipated by Aldred et al. (5,652,866).

Regarding claim 1:

Aldred et al. disclose the method for routing calls in a packet-based network (see col. 39 lines 7-35 which recite issuing packet to the telephone network), comprising: receiving a call request at a first call manager from a device coupled to the packet-based network, the call request including a telephone number associated with a plurality of telephony devices coupled to the packet-based network and controlled by a plurality of call managers (see col. 39 lines 7-35 which recite the call

request comprising identification of the called party including the telephone number being issued to the call manager which in turn forwards it to the telephone interface and support software to establish a telephony connection); determining a line control process associated with the telephone number included in the call request (see col. 3 line 59 to col. 4 line 45 where the application programming interface corresponds to the line control process); communicating the call request to the line control process; determining a device process controlling each telephony device associated with the telephone number included in the call request; and communicating the call request from the line control process to the device processes (see col. 5 lines 15-40 and col. 8 line 47 to col. 9 line 4 which recite passing the request from the sending call manager to the second or destination call manager).

Regarding claim 17:

Aldred et al. disclose the method for routing calls in a packet-based network (see col. 39 lines 7-35 which recite issuing packet to the telephone network), comprising: receiving a call request at a first call manager from a device coupled to the packet-based network, the call request including a telephone number associated with a plurality of telephony devices coupled to the packet-based network and controlled by a plurality of

call managers (see col. 39 lines 7-35 which recite the call request comprising identification of the called party including the telephone number being issued to the call manager which in turn forwards it to the telephone interface and support software to establish a telephony connection); determining the location of a plurality of line control processes associated with the telephone number included in the call request, each line control process executing at a different call manager (see col. 3 line 59 to col. 4 line 45 where the application programming interface corresponds to the line control process); and communicating the call request to the line control processes (see col. 5 lines 15-40 and col. 8 line 47 to col. 9 line 4 which recite passing the request from the sending call manager to the second or destination call manager).

Regarding claim 36:

Aldred et al. disclose the call manager for routing calls in a packet based network (see col. 39 lines 7-35 which recite issuing packet to the telephone network), comprising: a first device process controlling a first device coupled to the packet-based network and operable to receive a call request from the device, the call request including a first telephone number associated with a plurality of telephony devices coupled to the packet-based network and controlled by a plurality of call

managers; a call control module operable to receive the call request from the first device process (see col. 39 lines 7-35 which recite the call request comprising identification of the called party including the telephone number being issued to the call manager which in turn forwards it to the telephone interface and support software to establish a telephony connection); a digit analysis module operable to: receive the first telephone number from the call control module (see col. 39 lines 7-35 which recite the call manager retrieving the corresponding telephone number of the intended addressee which reads-on digit analysis); determine the location of a line control process associated with the first telephone number; and communicate the location of the line control process to the call control module; and a line control process operable to: receive the call request from the call control module (see col. 3 line 59 to col. 4 line 45 where the application programming interface corresponds to the line control process); determine the location of a plurality of device process, each device process controlling a telephony device associated with the first telephone number; and communicate the call request to the device processes (see col. 5 lines 15-40 and col. 8 line 47 to col. 9 line 4 which recite passing the request from the sending call manager to the second or destination call manager).

Regarding claim 50:

Aldred et al. disclose the call manager for routing calls in a packet based network (see col. 39 lines 7-35 which recite issuing packet to the telephone network), comprising: a first device process controlling a first device coupled to the packet-based network and operable to receive a call request from the first device, the call request including a first telephone number associated with a plurality of telephony devices coupled to the packet-based network and controlled by a plurality of call managers; a call control module operable to receive the call request from the first device process (see col. 39 lines 7-35 which recite the call request comprising identification of the called party including the telephone number being issued to the call manager which in turn forwards it to the telephone interface and support software to establish a telephony connection); a digit analysis module operable to: receive the first telephone number from the call control module (see col. 39 lines 7-35 which recite the call manager retrieving the corresponding telephone number of the intended addressee); determine the location of a plurality of line control process associated with the first telephone number, each line control process executing at a different call manager (see col. 3 line 59 to col. 4 line 45 where the application programming interface

corresponds to the line control process); and communicate the location of the line control processes to the call control module; and the call control module further operable to communicate the call request to the line control processes (see col. 5 lines 15-40 and col. 8 line 47 to col. 9 line 4 which recite passing the request from the sending call manager to the second or destination call manager).

Regarding claim 66:

Aldred et al. disclose the call manager software embodied in a computer readable medium and operable to perform the following steps: receiving a call request from a device coupled to the packet-based network (see col. 2 lines 35-44 which recite the support software and col. 39 lines 7-35 which recite issuing packet to the telephone network), the call request including a telephone number associated with a plurality of telephony devices coupled to the packet-based network and controlled by a plurality of call managers (see col. 39 lines 7-35 which recite the call request comprising identification of the called party including the telephone number being issued to the call manager which in turn forwards it to the telephone interface and support software to establish a telephony connection); determining a line control process associated with the telephone number included in the call request; communicating the call request to

the line control process (see col. 3 line 59 to col. 4 line 45 where the application programming interface corresponds to the line control process); determining a device process controlling each telephony device associated with the telephone number included in the call request; and communicating the call request from the line control process to the device processes (see col. 5 lines 15-40 and col. 8 line 47 to col. 9 line 4 which recite passing the request from the sending call manager to the second or destination call manager).

Regarding claim 73:

Aldred et al. disclose the call manager for routing calls in a packet-based network (see col. 39 lines 7-35 which recite issuing packet to the telephone network), comprising: means for receiving a call request from a device coupled to the packet-based network, the call request including a telephone number associated with a plurality of telephony devices coupled to the packet-based network and controlled by a plurality of call managers (see col. 39 lines 7-35 which recite the call request comprising identification of the called party including the telephone number being issued to the call manager which in turn forwards it to the telephone interface and support software to establish a telephony connection); means for determining a line control process associated with the telephone number

included in the call request; means for communicating the call request to the line control process (see col. 3 line 59 to col. 4 line 45 where the application programming interface corresponds to the line control process); means for determining a device process controlling each telephony device associated with the telephone number included in the call request; and means for communicating the call request from the line control process to the device processes (see col. 5 lines 15-40 and col. 8 line 47 to col. 9 line 4 which recite passing the request from the sending call manager to the second or destination call manager).

Regarding claims 2, 18, 37, 51:

Aldred et al. disclose wherein the packet-based network comprises an Internet Protocol (IP) network; and the plurality of telephony device comprise IP telephony devices (see col. 4 lines 38-52).

Regarding claims 3, 19, 38, 52:

Aldred et al. disclose wherein receiving a call request at a first call manager from a device coupled to the packet-based network comprises receiving a call request from a telephony device coupled to the packet-based network (see col. 39 lines 7-35).

Regarding claims 4, 20, 39, 53:

Aldred et al. disclose wherein receiving a call request at a first call manager from a device coupled to the packet-based network comprises receiving a call request from a gateway device coupled to the packet-based network, the gateway device receiving the call request from a telephony device external to the packet-based network (see the use of a gateway device in col. 32 lines 4-30).

Regarding claims 6, 22, 68, 75:

Aldred et al. disclose wherein communicating the call request to the line control process comprises communicating the call request to a line control process executing at a second call manager (see col. 5 lines 15-33).

Regarding claims 8, 23, 42, 55:

Aldred et al. disclose wherein communicating the call request from the line control process to the device processes comprises communicating the call request to the device processes in parallel (see col. 8 lines 47-59).

Regarding claims 9, 24, 43, 56:

Aldred et al. disclose wherein communicating the call request from the line control process to the device processes comprises communicating the call request to the device processes in series (see col. 8 lines 11-17 and 47-59).

Regarding claims 10, 29:

Aldred et al. disclose communicating the call request from a device process to the telephony device controlled by the device process; receiving a call proceed signal from the telephony device-indicating acceptance of the call request; and communicating the call proceed signal from the device process to the line control process (see col. 11 lines 39-56).

Regarding claims 11, 30, 45:

Aldred et al. disclose establishing media streaming between the device from which the call request was received and the telephony device from which the call proceed signal was received (see col. 8 lines 5-36).

Regarding claim 27:

Aldred et al. disclose determining the location of at least one device process associated with each line control process, each device process controlling a telephony device associated with the telephone number included in the call request; and communicating the call request from each line control process to the associated device process (see col. 5 lines 15-40 and col. 8 line 47 to col. 9 line 4).

Regarding claim 44:

Aldred et al. disclose wherein each device process controlling a telephony device associated with the first telephone number is further operable to: communicate the call

request to the telephony device controlled by the device process; receive a call proceed signal from the telephony device indicating acceptance of the call request; and communicate the call proceed signal to the line control process (see col. 11 lines 39-56).

Allowable Subject Matter

7. Claims 34, 40-41, 46-49, 58-65, 67, and 69-72 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. Claims 5, 7, 12-16, 21, 25-26, 28, 31-33, 54, 57, 74, and 76-78 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Council et al. disclose a method and apparatus for generating and/or updating an authorization list associated with a telephone subscriber.

Gessel discloses subscriber feature services in a telecommunications system.

Schoo et al. disclose distributed processing of high level protocols in a network access server.

10. Any response to this nonfinal action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (2600 Receptionist at (703) 305-4750).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick Hom whose telephone number is (703) 305-4742. The examiner's

regular work schedule is Monday to Friday from 8:00 am to 5:30 pm EST and out of office on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao, can be reached at (703) 308-5463.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

SH

April 6, 2004